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Introduction

Over the last decades, Welfare States have undergone dramatic changes. From the 1980s on, strong(er) budgetary constraints were coupled with public management reforms, which oftentimes combined a quest to restrain public spending with a focus on the effectiveness and efficiency of public spending (Pollitt and Bouckaert, 2011: 77). Thereby, states’ withdrawal from direct service provision coupled with the marketization of services was a ‘common reform strategy’ (Veggeland, 2008: 280). While by no means a recent phenomenon, public contracting has gained increasing importance (Bel and Fageda 2007: 519; Pollit and Bouckaert 2011; Rees 2014: 46).

Research on contracting out and public contracting of services has suggested that these developments have important implications for working conditions and the quality of services (Benjamin 2016; Dube and Kaplan 2010; Engström and Axelsson 2010; Flecker and Hermann 2011; Grimshaw et al. 2014; Vrangbæk et al. 2015). With the growing importance of public contracting, public contracts increasingly act as tools for defining standards of services (Lahat and Talit 2015: 336) and regulating labour standards and working conditions (Holley 2014). Yet, despite their importance as a regulatory tool, little is known about public authorities’ strategies to warrant decent working conditions and a high quality of services when tendering.

This article seeks to contribute to the literature by shedding light on public authorities’ strategies to warrant the quality of service and working conditions in the delivery of a specific service. It focusses on an essential service in the context of asylum and international protection: interpretation. Professional interpretation is indispensable for the ‘unimpeded access to the asylum procedure’ (UNHCR 2012: 2). Against this background, this article analyses tendering strategies of the two Greek agencies that are responsible for ensuring the provision of interpretation services in the asylum and reception processes, the Asylum

Service (*Υπηρεσία Ασύλου*), and the Reception and Identification Service (*Υπηρεσία Υποδοχής και Ταυτοποίησης*)^[1]. Drawing on the existing literature on the contracting of services, it highlights that the delivery of services is intertwined with the person providing it and that competition-based tendering, especially if a strong focus rests on the price, can have important implications for employment and working conditions, remuneration, and the quality of service. It then turns to the specific service in focus of this article, and outlines the findings of an exploratory study of tendering practices of the two agencies responsible for the provision of interpretation in the asylum and reception processes. Most importantly, the findings highlight divergent strategies relating to the prioritisation of low costs and point to a general lack of requirements regarding the qualification of interpreters. Contextualising these insights against the challenging context in which Greek public authorities are tendering for interpretation services, we suggest that the lack of requirements is shaped by the structure of the market. The conclusion summarises the findings, discusses their implications and emphasises general insights that can be drawn from this study and points to questions for further research.

Public Contracting

Within the European Union, European law sets a legal framework that domestic legislation and practices have to satisfy. Being embedded in the logic of the single market, it aims to prevent protectionist practices and guarantee cross-border competition (Caranta 2010: 16; 109). Within this context, public authorities in the EU could, at the time of the analysis, award contracts based on either the lowest price or the ‘most economically advantageous tender’ (Directive 2004/18/EU, Article 53).^[2] European law does not impede a quality-led competition or the inclusion of stipulations that seek to foster social policy objectives or to safeguard minimum working conditions as long as technical specifications and criteria are compatible with the fundamental principles of public procurement and are clearly formulated in the invitation for tenders (Dischendorfer 2004: NA83).

Services are intangible (Corcoran and McLean 1998: 39), invisible (Ancarani 2009:189), and abstract (Roodhooft and van den Abbeele 2006: 492). Being ‘activities, rather than objects’ (Roodhooft and van den Abbeele 2006: 492), they are produced at the time they are delivered; they cannot be pre-produced, stored (Corcoran and McLean 1998: 39), or returned

(Groth and Dye 1999: 276). Due to the invisibility of the object of purchase, the need for written specifications is higher and the possibility for standardisation is lower than for goods (Ancarani, 2009:189).

Due to the simultaneity of production and consumption, no option for ex ante quality control exists. As the contract is awarded before the service itself is delivered, contracting of services depends on predicting ‘future supplier performance based on past performance’ and having ‘trust in a continuous, reliable performance level’ (Ancarani, 2009: 193). Yet, the quality of any given service may differ over time and between two performances (Corcoran and McLean 1998: 39). Therefore, it has been argued that, in tendering for services, ‘imagining is believing’ (Groth and Dye 1999: 276).

In addition to the challenges arising from the nature of services itself, public agencies may face further difficulties, which result from the lack of efficient markets in certain areas. In some fields, the services tendered for may not have commercial counterparts, so that only very few providers would be adept to carry them out (Epstein 2013: 5). If the market is limited to a low number of (potential) bidders, this may have implications for tendering practices as a strong (inter)dependence between buyer and bidders exists.

While this holds true for all services, it is important to distinguish between hard and soft services. Hard services, such as waste collection or road construction, involve rather low levels of discretion and are easy to specify. In contrast, in soft services ‘*people* are the service focus’ (Epstein 2013: 7). These services are ‘most often partly produced and consumed simultaneously in a process in which both the service provider and the client are involved’ (Roodhooft and van den Abbeele 2006: 492), resulting in a ‘close link between the service and the person or persons providing it’ (Roodhooft and van den Abbeele 2006: 492). This means that the production, delivery, and the consumption cannot be disconnected (Rönnbäck 2012: 448; Corcoran and McLean 1998: 39). Given the paramount importance of the person delivering the service^[3], their qualifications, skills, and working conditions as well as ‘the way in which the service suppliers act and how they treat the customers’ (Rönnbäck 2012: 449) all have a major impact on the quality of services. The ability to build a relationship with the client is essential for the delivery of high standard interpersonal services (Belabas et al. 2017; Davies 2016). To form trusting relationships, empathy and caring skills can be crucial factors for effective practice (Gerdes and Segal 2011), especially

for social work. In addition, personnel adopt a range of different roles when delivering a service. Taking the example of interpreters, in the course of providing interpretation, interpreters may adopt “many roles, including listener, speaker, gatekeeper, interviewer, social agent, and conversationalist.” (Hwa-Froelich and Westby 2003: 82) Against this background, skills in listening, understanding, memorising, mentally translating and verbalising are crucial for providing good interpretation (Kornakov 2000: 246). At the same time, performing these divergent roles entails a high emotional labour (see e.g. Williams (2005) for interpretation for refugees and asylum seekers in different contexts).

Employment and Working Conditions, Quality, and the Price

Contracting out and the use of (especially price-led) competition-based public procurement may have a negative impact on the conditions under which the service is provided. Contracting, especially with a strong focus on the price, has been linked to labour cost cutting, which may bring about increased work schedules and workloads (Campbell and Peeters 2008) and a deterioration of working conditions (Flecker and Hermann 2011), wages, and benefits (Dube and Kaplan 2010). This may lead to an increased frustration and sense of insecurity (Engström and Axelsson 2010) and ‘exacerbate the vulnerable position of workers employed in [...] low-wage service segments’ (Grimshaw et al. 2014: 1).

Tendering on the price alone, or placing a high emphasis on the price, can encourage practices in which ‘cost considerations marginalize considerations related to the quality of the service.’ (Benjamin 2016: 3) The deterioration of wages and working conditions and increased workloads have been linked to the quality of services provided (Apostolou 2012: 217; Benjamin 2016; Grimshaw et al. 2014: X, 37). Price-focused contracting may foster the undervaluation of specific work as expertise, leading to a lack of funding for the employment of staff with necessary certifications and contributing to a downplaying of necessary knowledge and training, as well as neglect of professional standards. It can thereby contribute to processes of de-skilling and a lack of qualifications amongst staff (Benjamin 2016). A lack of qualifications of the personnel delivering the service in turn affects the quality negatively (Apostolou 2012: 217). Against this background, it is widely acknowledged that tendering on the price alone (or with a strong focus on the price) may not produce the best outcome in terms of quality (Epstein 2013; Roodhooft and van den Abbeele 2006: 493f.).

Yet, while tendering on the price alone or with special emphasis on the price may not lead to best possible quality, budgetary pressures and limited resources may incentivize public agencies place a strong focus on price when contracting (Epstein 2013), especially as ‘government lacks the proper incentives to ensure high quality service provision. This is particularly true where the service in question “benefits” the disenfranchised in society such as criminals and the poor who have no economic power (as a commercial customer would) and limited political power.’ (Epstein 2013: 4) Given a lack of incentives and financial pressures, it comes as no surprise that, in practice, the price remains the most important (and sometimes the only) criterion (Hanski et al. 2015: 239; Roodhooft and van den Abbeele 2006: 493f.; Rönnebäck 2012: 448).

Interpretation in the Context of International Protection and Asylum: A Service with distinct requirements

The provision of interpretation of adequate quality is essential in order to ensure that the functioning of any system that seeks to ensure those in need of international protection can access asylum systems and realise their right to international protection. The absence of adequate interpretation can prevent applicants without sufficient knowledge of a language spoken by the personnel of the agencies in charge from communicating the reasons for needing international protection and from accessing information about their rights, obligations and asylum processes. As UNHCR (2012: 2) states, ‘unimpeded access to the asylum procedure [...] requires [...] the provision of adequate interpretation’.

Within the European Union, ensuring the availability of interpretation is not only an implicit requirement but a legal obligation. European and Greek law foresee that interpretation shall be provided at reception and during the application to asylum and international protection (Directive 2013/32/EU; Law 4375/2016 and before 2016 Presidential Decrees 113/2013, 114/2010, 220/2007; Ministerial Decision 11.1/6343/2014). Yet, both European as well as Greek law remain vague on professional qualifications of interpreters; neither lays down any requirements regarding the level of (formal) professional qualification of those providing interpretation in the context of reception and processing applications. Defining requirements regarding the qualifications and skills necessary to facilitate an adequate standard of interpretation lies, thus, in the responsibility of the individual authority.

To ensure that interpreters are able to provide high quality and accurate interpretation, public authorities need to take into account a range of factors. Interpretation being a soft service (see above), skills in and knowledge of a variety of areas as well as employment and working conditions of interpreters are of vital importance for the quality of the service. First, ensuring that interpreters have the essential language skills as well as a sound knowledge of interpretation techniques and skills in communication and interpretation is essential to warrant an adequate standard of service (Apostolou 2015; Hale 2007; Rudvin and Tomassini 2011). Secondly, as has been highlighted above, interpretation is an interpersonal service that requires that interpreters adopt a range of different roles and need a range of skills, among which the ability to build a relationship with the client. Against this background, public authorities must ensure that interpreters have highly developed communication and social skills, notably the ability to establish trusting relationships. While relating experiences of, for instance, torture or sexual violence can be vital to an entitlement to international protection, whether or not these are related may depend on different situational features (Maryns 2013). Thereby, the skills individual interpreters possess in communicating and their knowledge of factors that influence disclosure and the accuracy of accounts, may have a significant impact on the accounts given by applicants, especially when dealing with vulnerable groups (Doornbos 2005; Gibb and Good 2014; Lee 2013). Similarly, (inter)cultural competences have been pointed out as important assets for interpreting in a context such as international protection (Hale 2007). Finally, contextual knowledge, most importantly knowledge of administrative and legal requirements, are quintessential for delivering high quality interpretation in the context of asylum and international protection (Hale 2007; Lee 2013).

The Greek context

Contracting out of services in Greece has been rooted in the structural reforms experienced by the Greek economy in the 1990s and 2000s and has been increasingly used over the last few decades (Tsekos and Triandafyllopoulou 2015; Tsipouri and Athanassopoulou 2014). As part of the Europeanisation process, and later due to the process of membership to the European Monetary Union, the Greek economy underwent significant changes including reforms of the labour market, welfare and pension systems, privatisation of public services and state companies, and reforms of the public administration (Featherstone 2003; 2005;

Pagoulatos 2005; Tsekos and Triandafyllopoulou 2015). While these reforms were not always successful (Featherstone 2003; 2005), they signalled a shift from a largely state-controlled public service provision to greater privatisation and less state control on the market.

The legal foundations of public contracting are laid down in public procurement regulations and practices, which in Greece were characterised by several weaknesses, including a very high level of legal and administrative complexity, high costs for businesses and lack of transparency (OECD 2010; Tsipouri and Athanassopoulou 2014; Pagoulatos 2005). This largely reflected historical characteristics and practices of the Greek state and public administration at a more general level (Pagoulatos 2005; Tsekos and Triandafyllopoulou 2015). The economic reforms of 2010, in response to the country's financial crisis, included plans to reduce administrative burdens and increase competitiveness, simplify and streamline procedures among different public authorities, increase transparency and judicial remedies against award decisions (IMF 2010; see also European Commission 2010; OECD 2010). In concrete terms, these reforms resulted in the establishment of the Hellenic Public Procurement Authority, the website Diavgeia, the expansion of e-procurement, and the consolidation of the existing legal framework with the introduction of Law 4281/2014 (European Commission 2016; Tsipouri and Athanassopoulou 2014).

Despite these developments, the legal framework and procurement practices remain highly complex, involving several agencies and levels of administration, which are often lacking resources due to the austerity crisis (European Commission 2016; Kastanioti et al. 2013; Kontogeorga 2016; Tsipouri and Athanassopoulou 2014). Furthermore, a number of irregularities still affect the ability of the Greek public sector to manage European Union funds (European Commission 2016). Nevertheless, procurement is used extensively in a range of public sectors such as healthcare, defence and local and regional administration (HSPPA 2018).

The expansion and reform of procurement practices has coincided with increased insecurity in the Greek labour market. While historically employment in the public sector was based on permanency, the private sector has been characterised by greater insecurity caused by short-term contracts, insecure and often exploitative working conditions, and a lack of regulation by the state (Tsobanoglou 2015). Temporary employment contracts have also been used extensively in the public sector. In the context of the austerity crisis, the increased use of

atypical and casual employment and the diminishing of protections for workers (Gialis and Tsampra 2015) has weakened labour conditions.

Contracting of interpretation services in Greece

Over the last few years, the numbers of refugees arriving in Europe have risen significantly, reflecting the impact of the Syrian – and other – conflicts on migration movements. In this context, Greece was for many the entry point to the EU, and the first country of asylum.

Given the centrality of interpretation within the system of asylum and international protection, the need for interpretation services was, ‘enormous’ (UNHCR 2016: 1). Yet, while the need for interpretation was immense, these ‘services are not always easily (or quickly) accessible’ (UNHCR 2016: 1). The recruitment of qualified interpreters posed challenges as a shortage of qualified interpreters has persisted for some languages, for instance Somali (AIDA 2015: 38; Apostolou 2012: 215; UNHCR 2012: 3). In addition, the options for acquiring an official qualification are highly limited, especially for some languages, which are important in the context of international protection, such as Arabic, Dari and Farsi (Apostolou 2012: 220; 2015; Xanthopoulou 2018).

In practice, the provision of interpretation during reception and asylum procedures in Greece is based on public contracting (AIDA 2015: 64), an approach also taken in other countries (Gibb and Good 2014; UNHCR 2010: 117). The Asylum Service and the First Reception Service – reformed and renamed as the Reception and Identification Service in 2016 – were established as independent authorities in 2011 with Law 3907 and became operational in 2013 (Law 3907/2011; EMN 2014). They are responsible for ensuring the provision of interpretation services in the asylum and reception processes respectively. As independent authorities under the aegis of ministries – in succession, the Ministry for Public Order, the Ministry for the Interior and Administrative Reform –, they have autonomous budgets and are legally authorised to tender for goods and services (Law 3907 Art 4; Art 9 par 4; Law 4375/2016, Art 3, Art 12). The Finance Department of the Asylum Service (Asylum Service 2018a; Ministerial Decision 12118, 2015, Art 1,2; Law PD 104/2012; PD113/2013) and the Department of Human Resources and Administrative Support (until 2016), subsequently known as Finance Department, of the Reception and Identification Service (PD 102/2012; Law 4375/2016) are responsible for the tendering of a wide range of goods and services,

including but not limited to cleaning and security services, interpretation, office and ICT equipment (Asylum Service 2018b; Reception and Identification Service 2018). Guidance to contracting authorities on tendering is given by the Hellenic Single Public Procurement Authority (HSPPA) (European Commission 2016; HSPPA 2018), which is not involved in tendering for interpretation services itself. In tendering, the Asylum Service and the First Reception Service (FRIS) set the standards the provision of interpretation has to contend.

In Greece, there is not a union or a similar body that specifically and solely represents interpreters. Interpreters working for NGOs like Metadrasi are likely to be represented by the Ground Union for Workers in Non-Governmental Organisations (Σωματείο Βάσης Εργαζομένων στις Μη Κυβερνητικές Οργανώσεις), SVEMKO (ΣΒΕΜΚΟ). Founded in 2010, ΣΒΕΜΚΟ represents workers – in the broad sense – rather than managers of NGOs (SVEMKO 2018a). In addition, the Association of Translators, Editors and Proof Readers (Σύλλογος Μεταφραστών Επιμελητών Διορθωτών), SMED, also represents interpreters (SMED 2009) and the Panhellenic Association of Translators represents professional interpreters who have professional training (PEM 2018). The Panhellenic Association of Professional Translators Graduates of Ionian University (Πανελλήνια Ένωση Επαγγελματιών Μεταφραστών Πτυχιούχων Ιονίου Πανεπιστημίου (ΠΕΕΜΠΠ)) represents the graduates of the Department of Foreign Languages, Translation and Interpreting as well as those possessing similar degrees from non-Greek universities (PEEMPIP 2018). While SMED, SVEMKO and PEEMPIP have contributed to online consultations on calls for tenders issued by the Asylum Service, none of these bodies appears to have a formalised role in standard setting in professional practice.

Data Collection & Methods

This article presents findings of an explorative study, which analyses tendering strategies of the Asylum Service and the Reception and Identification Service. More specifically, our study seeks to identify how these two agencies seek to ensure that the personnel delivering the interpretation are able to provide a service of adequate standard. As European legislation and jurisdiction require all specifications and criteria to be included – and clearly formulated – in the invitation for tenders (see above), we carried out an analysis of retrieved data (Lee 2000) on the tendering procedures. More precisely, we analysed all available invitations for

tender for interpretation services and related documentation (clarifications and contract award notices), issued by the two agencies between their respective first invitation for tenders in July 2014 and July 2016. The invitation for tenders and the related documentation were identified through the official websites of the Asylum Service and the Reception and Identification Service and gathered on the website diavgeia.com. [Diavgeia.com](http://diavgeia.com), which was created as part of the effort to combat corruption in the public sector, provides a comprehensive source of official documents, as Greek public authorities have to publish, among others, documentation to all public procurement procedures on this website (Law 4210/2013). In total, 16 invitation for tenders were identified^[4], seven of which were issued by the Asylum Service and nine by the Reception and Identification Service.

Addressing the question of what standards these two agencies set when tendering for interpretation services, these documents were analysed in two steps. First, we examined the impact of the price in the procedures by identifying instances when the contract was awarded on the basis of the lowest price and the most economically advantageous tender as well as further stipulations, such as stipulations relating to a minimum price. In addition, we conducted a qualitative content analysis (Mayring 2000) to identify standards set for qualifications and working conditions that exceeded compliance with universally binding mandatory regulations. Aiming to examine the standards set, we specifically focussed on contracting practices rather than the general provision of interpretation by NGOs in the context of the crisis. Moreover, we have sought to explore to what extent public authorities contracting interpretation services include stipulations on skills, qualifications, and working conditions in a field where the high quality of interpretation is vital. Seeking to understand the use of public contracts as a means to set standards, our analysis focused on the inclusion and the design of stipulations.

As has been elaborated elsewhere (author), the mere inclusion of requirements relating to skills, qualifications, and working conditions does not automatically lead to compliance; contract management and the monitoring of whether conditions set are upheld are essential for safeguarding that standards included in public contracts are upheld during the performance of the contract. Whereas monitoring and contract management are important features for a holistic understanding of the impact of tendering practices on the personnel delivering the services, this study specifically analyses whether public authorities include

requirements relating to skills, qualifications, and working conditions and, if they do, which requirements are set. Given this focus on the regulatory dimension (i.e. the setting of standards), contract management arrangements that relate to their implementation and compliance with the standards set, are not part of the scope of this study.

Findings

Important divergences appeared relating to the use of the most economically advantageous tender and the lowest price. Overall, the First Reception and Identification Service favoured the lowest price, which was the basis of a slight majority of tendering procures. In contrast, all but one invitation for tenders issued by the Asylum Service were based on the most economically advantageous tender. Moreover, five out of seven invitation for tenders issued by the Asylum Service also included a minimum price below which offers would not be accepted. In brief, while one agency predominantly adhered to a price-driven tendering strategy, which may lead to labour cost cutting and induce adverse effects on working conditions and remuneration, the other agency tended to adhere to a strategy that aimed to prevent a downward spiral.

Whereas the tendering practices of the two agencies strongly differed concerning the use of the lowest price and the most economically advantageous tender, overall similarities persisted between the two agencies regarding stipulations on working conditions. None of the invitation for tenders included any requirements concerning employment and working conditions beyond compliance with binding regulations and payment of social contributions which, as they are universally binding, need to be observed notwithstanding stipulations in invitation for tenders or contracts. This tendering practice seems to reinforce pressure on employment and working conditions and may have a negative impact on the quality of services rendered, especially when it is coupled with tendering on the lowest price.

Similar to working conditions and in contrast to price related stipulations, which strongly differed, requirements for formal qualifications and language skills were uniform. All available invitation for tenders required that employed staff must possess the necessary experience, knowledge, and skills to fulfil the requirements of the contract. Yet, none of the

invitation for tenders included specific stipulations on professional qualifications and knowledge; neither did they include stipulations referring to core features, such as formal qualifications in interpretation, a proven knowledge of administrative procedures, legal requirements, or procedures regarding asylum and international protection. In addition, requirements relating to interpersonal skills, such as for instance the ability to build interpersonal relationships or knowledge of strategies for or skills in communicating with vulnerable groups, were non-existent. Yet, knowledge and skills regarding interpretation as well as contextual knowledge and interpersonal skills for delivering high quality interpretation, are needed in this context (see above).

Overall, the only skills that were required mandatorily of the staff delivering the service were good language skills in Greek and an excellent knowledge of the language specified in the invitation for tender. Yet, as the Panhellenic Association of Professional Translators of Ionian University Graduates have noted, a good knowledge of Greek cannot be deemed a sufficient base for providing the high quality of interpretation in this specific context (Former Ministry for Public Order and Citizen Protection, 2014). In addition, the mode of proof raises doubts on the adequacy of the requirements: Language skills can either be verified by high school leaving certificates, certificates from an institution of higher education originating in a country where the language is an official language, a language sufficiency certificate, a BA, or, if none of these is available, self-certification. As has been argued, self-declarations are not be the best way to establish safely that certain criteria are fulfilled (author).

In brief, none of the invitation for tenders included precise stipulations regarding qualification in interpretation or skills necessary to provide an adequate standard of interpretation. As has been shown above, a strong focus is on the price combined with a lack of requirements for qualification may lead to the undervaluation of specific work as expertise and a lack of funding for the employment of staff with formal qualifications. This may result in the neglect of professional standards (Benjamin 2016), affecting the quality negatively (Apostolou 2012: 217).

Considering the specific context, notably the shortage of qualified interpreters (AIDA 2015: 38; Apostolou 2012: 215) and the limited opportunities for acquiring formal qualifications (Apostolou 2012: 220; 2015; Batsalia and Sella 2016), the lack of stipulations on formal qualifications may be the result of an adjustment to contextual circumstances, namely the

(limited) market for interpreters with formal qualifications in interpretation. If a shortage of formally qualified interpreters exists, stipulating strict requirements regarding formal qualifications for interpretation might entail the risk that no provider can satisfy these requirements, which in turn may mean running the risk that no interpretation can be secured. This is especially the case if the market is limited, as in the case for highly specialised services. In the case in question, all except one^[5] invitation for tenders received bids from just one company. As has been stated above, tendering in a context of inefficient markets and a low number of potential providers may lead to a dependency between buyers and bidders. Against this background, the absence of stipulations regarding formal qualifications may be a result of an acknowledgment of constraints imposed by the market for qualified interpreters and providers combined with the fact that both agencies prioritised ensuring the availability of interpretation over safeguarding that interpreters possess formal qualifications and training.

Training

While no invitation for tenders included requirements for formal qualifications of staff, a set of additional requirements gains importance that found entry in three *individual* invitation for tenders: the obligation to provide training for interpreters during the life of the contract. In July 2014, the Asylum Service issued an invitation for tender that obliged the provider to deliver periodic training of interpreters during the performance of the contract (Asylum Service 2014a). The training had to include sessions on methods of interpretation, basic concepts and terms of (Greek) public administration in general and the procedure for international protection more specifically, and linguistic practices used when communicating with vulnerable groups. The following year, the Reception and Identification Service also issued two invitation for tenders (First Reception Service 2015c, d) that required the provider to deliver training on methods of interpretation, basic concepts and terms of procedures, and linguistic practices used in communication with vulnerable groups. The content of these training arrangement does not only relate to interpretation, but also incorporates aspects relating to these features, namely the acquisition of knowledge on the procedures and communication skills, particularly when working with vulnerable people.

Given the lack of stipulations on qualifications, obliging providers to train their employees on essential skills can be interpreted as a substitute for ‘hard criteria’ on qualifications, aiming to ensure that interpreters have the knowledge necessary to deliver a minimum standard of interpretation without limiting the market. Further, individuals who possess the necessary language skills (e.g. members of Greece’s migrant communities) can be enabled to acquire the essential knowledge and skills to deliver an adequate standard of interpretation. Interestingly, and maybe explaining why these stipulations remained confined to a rather limited number of invitation for tenders, all (three) invitation for tenders that included the requirement to provide training were cancelled.^[6] For two of the tendering procedures, this was grounded in the fact that no bids had been received (Asylum Service 2014b; First Reception Service 2015a); while for the third, no information regarding the reason for cancellation was available (First Reception Service 2015b). This raises the question of how such cancellations impact future tendering strategies; a question, which should be tackled by further research.

Conclusion

Contracting of services has become increasingly important over the last few decades (Bel and Fageda 2007: 519; Pollit and Bouckaert 2011; Rees 2014: 46; Veggeland 2008: 280). Contracting (out) and price-driven procurement have been shown to impact upon working conditions (Campbell and Peeters 2008; Dube and Kaplan 2010; Flecker and Hermann 2011; Engström and Axelsson 2010; Grimshaw et al. 2014: 1; Vrangbæk et al. 2015) which may, in turn, affect the quality of service (Apostolou 2012: 217; Benjamin 2016; Grimshaw et al. 2014: X, 37). With a growing importance of contracting of services, public contracts play an indispensable role in setting standards (Lahat and Talit 2015: 336) and an increasingly important role as a tool in the regulation of labour (Holley 2014).

Against this background, this article has presented findings of a case study on public authorities’ procurement strategies for an essential service in the context of asylum and international protection; interpretation. As neither European nor Greek law sets clear requirements regarding the qualification of interpreters or their working conditions, the definition of employment and qualification standards rests in the discretion of the authorities procuring these services. We analysed invitation for tenders for interpretations and related

documentation issued by the two agencies responsible for reception and the processing of applications.

The existing literature has highlighted that price is one of the most important features that influences working conditions and the quality of services, with price-based competition shown to put pressure on wages and working conditions and exert a negative impact on employees and the quality of service (Campbell and Peters 2008; Grimshaw et al. 2014; Benjamin 2016). Yet, previous research indicated that the price remains the only or the most important criterion (Hanski et al. 2015: 239; Roodhooft and van den Abbeele 2006: 493f.; Rönnebäck 2012: 448). While our findings support the importance attached to the price for one agency, the other agency's tendering strategy was characterised by a reliance on the most economically advantageous tender, which was coupled with the indication of a minimum price in the majority of cases. By using the most economically advantageous tender coupled with a minimum price, it established a bottom line for a downward spiral on prices and thereby limited a price-driven competition. This is especially noteworthy as both agencies tendered under strong budgetary constraints. Our findings hence also suggest the existence of high levels of discretion with regards to individual agencies when it comes to the importance ascribed to the price, even under tight budgetary constraints.

A further important feature relating to the quality of service is ensuring that staff hold the necessary qualification to carry out a high quality service. Our findings highlighted a lack of requirements relating to qualifications, reflecting previous reports which have stated a lack of stipulations on (formal) qualification (UNHCR 2010: 119f.). As has been highlighted in the literature, in the case of Greece, a lack of qualified interpreters persists (AIDA 2015: 38; Apostolou 2012: 215; Batsalia and Sella 2016) and opportunities to acquire formal qualifications are limited (Apostolou 2012: 220; 2015). In this article, we suggested that the lack of stipulations relating to (formal) qualifications may be interpreted as an adjustment to the market particularly in relation to shortages of qualified interpreters.

The interpretation that a lack of stipulations on qualifications is linked to a shortage of (formally qualified) interpreters is supported by the fact that three individual invitation for tenders included requirements that obliged providers to deliver training on core issues of interpretation in the context of asylum and international protection during the execution of the contract. We argued that this approach may be intended to safeguard minimum standards

of knowledge and skills without limiting the market, which may jeopardise the ability to award contracts and ultimately limit the provision of a much needed service. Obviously, the lack of requirements relating to qualifications does not automatically mean that the staff delivering the service do not have the necessary qualifications and skills; nor does it imply that providers do not train their staff to acquire these. For instance, the main provider of interpretation services in Greece, Metadrasi, runs trainings for their staff (Metadrasi, 2018) and projects such as ReCulm have dedicated themselves to train interpreters (ReCulm, 2018). However, if these are not binding, then they are at the discretion of providers or individual project and public authorities cannot safeguard a consistent running of training. However, if no binding requirements exist, then qualifications, competencies and skills of staff cannot be safeguarded and depend upon the recruitment strategies and company policies of individual providers (especially those relating to professional development of staff).

The analysis identified three individual invitation for tenders that aimed to safeguard minimum qualifications by obliging providers to provide training to employees, promoting access to qualifications in interpreting, leading to the qualification of future interpreters. In addition, including requirements to provide (high quality) training that enables people with the necessary language skills to acquire formal qualifications in interpretation has the potential to foster qualifications and employment opportunities for disadvantaged groups, such as migrant and refugee communities in Greece, an aim that has a long tradition in the strategic use of public procurement in different countries (McCrudden, 2007).

However, substituting requirements for formal qualifications and employing non-professional interpreters are ambiguous measures. First, training by private providers does not necessarily result in formal, professional qualifications and may fall short of professional standards (Apostolou 2015; Batsalia and Sella 2016). This is particular true for cases involving the training of cultural mediators rather than interpreters. Cultural mediators, whose role is to negotiate cultural differences and facilitate intercultural communication, can perform necessary and valuable tasks in the context of asylum and reception procedures (Batsalia and Sella 2016; Xanthopoulou 2018). However, their qualifications and competences do not equate to those of professional, formally trained interpreters (Batsalia and Sella 2016; Resta 2017; Xanthopoulou 2018). Thus, provider-led training runs the risk of lowering of standards of qualifications and thus the quality of service.

Secondly, the employment of non-professional interpreters by providers can lower wages and exacerbate poor working conditions for an already casualised labour force. This is particularly pertinent in the NGO sector in Greece, which is characterised by informalised, insecure employment and violations of labour law (Resta 2017; Xanthopoulou 2018). Metadrasi, for instance, has been convicted in Greek courts for the non-payment of social insurance (SVEMKOb 2018). Thirdly, requiring providers to provide training may lower governments' incentives to invest in the educational programmes leading to interpretation qualifications. This may, in the run long run, reinforce the shortage of formally and adequately qualified staff, thereby contributing to a vicious circle of staff shortages and lowering of occupational standards, contributing to processes of de-skilling.

This study provides first insights into the under-researched topic of the standards public authorities in Greece set for interpretation in the context of applications for international protection. While it has limitations as it analyses only one country and focuses on the regulatory dimension alone, it points to the need for future research in this underexplored area. Future research should seek to comparatively analyse the provision of interpretation in the context of international protection, examine decision-making processes in tendering by comparing different authorities as well as different tendering procedures for the same agency, and investigate decision-making on the design of individual tendering procedures. As our study suggests, the structure of the market may have implications for the use of binding requirements, and so future research should address the interaction between market structure, bidders' behaviour and public authorities' tendering strategies. Such research would be invaluable in empirically investigating the complex interactions between public contracting, market and budgetary constraints and service standards at a general level and can shed further light on their implications for the recipients of public services.

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^[1] Introduced in 2011 as First Reception Service, this agency was renamed Reception and Identification Service in 2016. In order to ensure consistency and for the comfort of the reader, the latter name will be used throughout the article unless in references.

^[2] Whereas tendering for the lowest price neglects other criteria, using the most economically advantageous tender, ‘various criteria linked to the subject-matter of the public contract in question, for example, quality, price, technical merit, [...] environmental characteristics’ could be taken into account (Directive 2004/18/EU, Article 53 para. 1a).

^[3] Among others, the body of literature relating to the delivery of public policy by street-level bureaucrats highlights the impact individuals delivering a specific service have in shaping the service itself (among others Belabas and Gerrits 2017).

^[4] Three tendering procedures, all issued by the Reception and Identification Service in January, February, and May 2015, were identified for which no complete documentation was available.

^[5] One tender for a month of interpretation services in July 2016 was awarded directly to international governmental organisation IOM (International Organisation for Migration)

^[6] A high number of procedures, five out of a total of nine of the invitation for tenders issued by the Reception and Identification Service and only one by the Asylum Service, were cancelled. While this finding exceeds the scope of the presented analysis, it raises the question regarding the causes and the effect of these cancellations.